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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS PEREZ,

Defendant.

CASE NO. 1:21-CR-00185-JLT-BAM

STIPULATION TO CONTINUE CHANGE OF
PLEA HEARING, AND EXCLUDE TIME
PERIODS UNDER THE SPEEDY TRIAL ACT;
ORDER

DATE: April 1, 2024
COURT: Hon. Jennifer L. Thurston

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a change of plea hearing on April 1, 2024.
2. Defense has encountered some obstacles, that interfered with being prepared to proceed with the change of plea set for April 1, 2024, and requests additional time until May 28, 2024 at 9:00 a.m.
3. Based on the above-stated findings, the ends of justice served by continuing the case for a change of plea as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.
4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 1, 2024 through May 28, 2024, inclusive, is

deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

5. The parties agree and stipulate, and request that the Court find the following:

a) The government represents that the discovery associated with this case has been provided. The government is aware of its ongoing discovery obligations.

b) The parties anticipate the defendant entering a change of plea on May 28, 2024.

6. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: March 26, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ KIMBERLY A. SANCHEZ
KIMBERLY A. SANCHEZ
Assistant United States Attorney

Dated: March 26, 2024

/s/ RICHARD BESHWATE
RICHARD BESHWATE
Counsel for Defendant
LUIS PEREZ

FINDINGS AND ORDER

The change of plea hearing set for April 1, 2024 is continued to May 28, 2024. Time is excluded through May 28, 2024 pursuant to 18 United States Code Section 3161(h)(7)(A), B(iv). The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: March 26, 2024


UNITED STATES DISTRICT JUDGE